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Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA AT ANCHORAGE

JAMES L. MILLER and APRIL MILLER, as
assignees of TONKA TOY RENTALS, LLC,

Plaintiffs,

v.

COLUMBIA INSURANCE COMPANY,

Defendant.

Case No. 3:14-cv-_____ - _____

NOTICE OF REMOVAL

Defendant Columbia Insurance Company (“Columbia”) hereby gives notice of the removal of the above-captioned action, currently pending in the Superior Court for the State of Alaska, First Judicial District at Juneau, under Case No. 1JU-14-00461CI, to the United States District Court for the District of Alaska. Removal is based on diversity of citizenship under 28 U.S.C. §§ 1332 and 1441.

As grounds for removal, Columbia states as follows:

1. On or about January 8, 2014, Plaintiffs James L. Miller and April Miller (“Millers”) filed a Complaint for Insurance Bad Faith (the “Complaint”) with the Clerk of the Superior Court for the State of Alaska in the First Judicial District at Juneau. [A true and correct copy of the Complaint is attached as Ex. A.] Millers purport to bring the Complaint

as the assignees of certain claims of Tonka Toy Rentals, LLC (“Tonka”) that allegedly stem from Columbia’s denial of insurance coverage to Tonka. [Compl. ¶ 3.]

2. On January 15, 2014, the Complaint was served on Columbia.
3. Millers are residents of Petersburg, Alaska. [Compl. ¶ 1.]
4. Columbia is organized under the laws of Nebraska with its principal place of business in Omaha. [Compl. ¶ 2.]
5. Millers claim damages of \$1,500,000. [Compl. ¶ 31.]
6. Because there is complete diversity of citizenship among the parties, and because the amount in controversy exceeds the jurisdictional minimum, this Court has jurisdiction over this action pursuant to 28 U.S.C. § 1332. Accordingly, this action is removable to this Court pursuant to 28 U.S.C. § 1441.
7. The Notice of Removal is timely under 28 U.S.C. § 1441(d), and will be served upon Millers and filed promptly in the state court.

DATED this 5th day of February, 2014.

LANE POWELL LLC
Attorneys for Defendant

By s/ Brewster H. Jamieson
Brewster H. Jamieson, ABA No. 8411122
Michael B. Baylous, ABA No. 0905022

I certify that on February 6, 2014, a copy of the foregoing was served by mail and email on:

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s/ Brewster H. Jamieson
128177.0001/5931684.1

Notice of Removal

James L. Miller, et al. v. Columbia Ins. Co. (Case No. 3:14-cv-_____)

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